

Office of the Secretary of Defense

§ 319.5

contains a record pertaining to themselves;

(2) Be granted access to all or portions thereof;

(3) Request administrative correction or amendment of such records;

(4) Request an accounting of disclosures from such records; and

(5) Appeal any adverse determination for access or correction/amendment of records.

(b) To set forth Agency policy and fee schedule for cost of duplication.

(c) To identify records subject to the provisions of these rules.

(d) To specify those systems of records for which the Director, Defense Intelligence Agency, claims an exemption.

§ 319.3 Scope.

(a) Any individual who is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States may submit an inquiry to the Defense Intelligence Agency.

(b) These rules apply to those systems of records:

(1) Maintained by the Defense Intelligence Agency;

(2) For which the Defense Intelligence Agency prescribes the content and disposition pursuant to statute or executive order of the President, which may be in the physical custody of another Federal agency;

(3) Not exempted from certain provisions of the act by the Director, Defense Intelligence Agency.

(c) The Defense Intelligence Agency may have physical custody of the official records of another Federal agency which exercises dominion and control over the records, their content, and access thereto. In such cases, the Defense Intelligence Agency maintenance of the records is considered subject to the rules of the other Federal agency. Except for a request for a determination of the existence of the record, when the Defense Intelligence Agency receives requests related to these records, the DIA will immediately refer the request to the controlling agency for all decisions regarding the request and will notify the individual making the request of the referral.

(d) Records subject to provisions of the Act which are transferred to the Washington National Records Center for storage shall be considered to be maintained by the Defense Intelligence Agency. Disclosure from such records—to other than an element of the Defense Intelligence Agency—can only be made with the prior approval of the Defense Intelligence Agency.

(e) Records subject to provisions of the act which are transferred to the National Archives shall be considered to be maintained by the National Archives and are no longer records of the Agency.

§ 319.4 Definitions.

(a) All terms used in this part which are defined in 5 U.S.C. 552a shall have the same meaning herein.

(b) As used in this part:

(1) The term *Act* means the Privacy Act of 1974, Pub. L. 93-579, 5 U.S.C. 552a.

(2) The term *Agency* means the Defense Intelligence Agency.

§ 319.5 Procedures for requests pertaining to individual records in a record system.

(a) An individual seeking notification of whether a system of records, maintained by the Defense Intelligence Agency, contains a record pertaining to himself/herself and who desires to review, have copies made of such records, or to be provided an accounting of disclosures from such records, shall submit his or her request in writing. Requesters are encouraged to review the systems of records notices published by the Agency so as to specifically identify the particular record system(s) of interest to be accessed.

(b) In addition to meeting the requirements set forth in § 319.5 of this part, the individual seeking notification, review or copies, and an accounting of disclosures will provide in writing his or her full name, address, social security account number or date of birth and a telephone number where the requester can be contacted should questions arise concerning his or her request. This information will be used only for the purpose of identifying relevant records in response to an individual's inquiry. It is further recommended that individuals indicate